

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA

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FRAENYCIA GILLIAM,

Dkt #:

Plaintiff/Petitioner,

COMPLAINT

- against -

COMMISSIONER OF THE SOCIAL SECURITY
ADMINISTRATION,

Defendant/Respondent.
-----X

Plaintiff, FRAENYCIA GILLIAM, by her attorneys, KONOSKI & PARTNERS, P.C., hereby files this Complaint against the Defendant, COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION, and respectfully alleges as follows:

A. JURISDICTION

1. Jurisdiction is proper in this court pursuant to Section 205(g) of the Social Security Act, 42 U.S.C. Section 405(g), to review a final determination of the Commissioner. The Plaintiff has appealed her case through all the steps required by the Social Security Administration and they have issued a Final Decision denying Plaintiff's claim.

B. PARTIES

2. Plaintiff's name is FRAENYCIA GILLIAM.

3. Plaintiff lives in the State of Georgia. Plaintiff's mailing address is P.O. Box 653, Dacula, GA 30019.

4. Plaintiff's social security number, which was used by the Social Security Administration in this case, is: ***-**-1821.

5. The Defendant is the Commissioner of the Social Security Administration. The Defendant's address is: Office of the Regional Chief Counsel, Region IV, Social Security

Administration, Atlanta Federal Center, 61 Forsyth Street S.W., Suite 20T45, Atlanta, GA 30303-8910.

C. CAUSE OF ACTION

6. Plaintiff applied for Title II and/or Title XVI Social Security Disability Benefits (i.e., Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) benefits).

7. Plaintiff was denied Title II and/or Title XVI benefits by an Administrative Law Judge (ALJ) on February 10, 2023.

8. Plaintiff appealed the ALJ denial to the Appeals Council. The Appeals Council denied review of the ALJ decision on October 3, 2023.

9. Plaintiff was disabled and unable to work during the time period included in this case. Plaintiff continues to be disabled and unable to work.

10. Plaintiff is entitled to Title II and/or Title XVI benefits due to her disability.

11. The decision of the Social Security Administration is not supported by substantial evidence and/or is contrary to law and regulation.

D. DEMAND

12. Plaintiff requests all such relief as is proper under the Social Security Act and as the Court otherwise deems appropriate, including (i) reversing the decision of the Social Security Administration and awarding Plaintiff benefits; (ii) remanding the decision of the Social Security Administration for further proceedings; (iii) award attorney's fees and costs under the Equal Access to Justice Act (EAJA”), 28 U.S.C. § 2412(d), and 42 U.S.C. § 406(b), on the grounds that the Commissioner's action in this case was not substantially justified; (iv) any other relief that is otherwise deemed just, proper, and appropriate, by this Court.

Dated: December 15, 2023

Respectfully submitted,

s/Kira Treyvus

KIRA TREYVUS

Attorney(s) for the Plaintiff

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